



Wylie Stecklow, Esq.
Carnegie Hall Tower
152 West 57th St, 8th Floor
New York, New York 10019
Phone: (212) 566-8000
Fax: (212) 202-4952
Wylie@wylielaw.com

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 5/1/23

April 28, 2023

VIA ECF

Hon. Colleen McMahon
United States District Court
500 Pearl Street
New York, NY 10007

5/1/2023
OK June 22
for this EBT
[Signature]

Re: *Gray et al. v. City Of New York et al.*, Index No. 21-cv-6610 (CM)(GWG)

In re: New York City Policing During Summer 2020 Demonstrations,
Index No. 20-cv-8924 (CM) (GWG)

MEMO ENDORSED

Dear Honorable Judge McMahon

Please recall that I am co-counsel for the Plaintiffs in the Gray matter, referenced above, that has been consolidated with other matters under the *In re: New York City Policing During 2020 Demonstrations* caption and index number. I write today, with the consent of the City of New York, to request that the Court allow the parties to schedule one deposition beyond the current cut-off for depositions.

Currently, the parties believe that the cut-off for depositions (other than for third party witnesses Bill de Blasio and former NYPD Commissioner Dermot Shea) is June 16, 2023. The City of New York has identified Eugene J. Whyte as the deponent for multiple FRCP 30(b)(6) *Gray* topics. Unfortunately, the dates proposed by the City of New York for this deposition, June 13 & June 15, 2023, conflicted with three other depositions that have now been confirmed for these two dates. Although Gray has multiple counsel, there are only a couple with experience handling this type of deposition, and they are also needed at the scheduled June 13 and June 15 depositions of other witnesses.

Fortunately, the parties have conferred, and all relevant counsel and parties are available on June 22, 2023 to take this important deposition. It is respectfully requested that this Court allow the parties to take the deposition of Eugene Whyte on June 22, 2023.

Respectfully submitted,

Wylie M. Stecklow